

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TQP DEVELOPMENT, LLC,

Plaintiff,

v.

PRICELINE.COM, INC.,

Defendant.

Civil Action No. 2:12-cv-54-MHS-RSP

JURY TRIAL DEMANDED

STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE

The plaintiff TQP Development, LLC and defendant Priceline.com, Inc. pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing all claims in this action WITH PREJUDICE, subject to the terms of that certain agreement entitled “**AGREEMENT**” and dated December 31, 2012, with each party to bear its own costs, expenses and attorneys’ fees.

SO STIPULATED:

Dated January 14, 2013.

Respectfully submitted,

<p>By: \s\ <u>Eric B. Hall</u> Eric B. Hall (Texas Bar No. 24012767) ehall@fulbright.com Fulbright & Jaworski L.L.P. Fulbright Tower 1301 McKinney, Suite 5100 Houston, Texas 77010-3095 Tel: (713) 651-5151 Fax: (713) 651-5246</p> <p>Attorney for Defendant PRICELINE.COM INC.</p>	<p>By: \s\ <u>Adam S. Hoffman</u> Adam S. Hoffman</p> <p>Marc A. Fenster, CA SB No. 181067 Email: mfenster@raklaw.com Kevin P. Burke, CA SB No. 241972 Email: kburke@raklaw.com Adam S. Hoffman, CA SB No. 218740 Email: ahoffman@raklaw.com Alexander C.D. Giza, CA SB No. 212327 Email: agiza@raklaw.com Russ August & Kabat 12424 Wilshire Boulevard, 12th Floor Los Angeles, CA 90025 Telephone: (310) 826-7474 Facsimile: (310) 826-699</p>
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	<p>Hao Ni Texas Bar No. 24047205 hni@nilawfirm.com Ni Law Firm, PLLC 8140 Walnut Hill, Ste. 310 Dallas, TX 75231 Telephone: 972.331.4602 Fax: 972.314.0900</p> <p>Andrew W. Spangler, State Bar No. 24041960 Email: spangler@sfipfirm.com Spangler & Fussell P.C. 208 N. Green St., Suite 300 Longview, TX 75601 Telephone: (903) 753-9300 Facsimile: (903) 553-0403</p> <p>James A. Fussell, III, State Bar No. 2003193 Email: fussell@sfipfirm.com Spangler & Fussell P.C. 211 N. Union Street, Suite 100 Alexandria, VA 22314 Telephone: (903) 753-9300 Facsimile: (903) 553-0403</p> <p>Attorneys for Plaintiff TQP DÉVELOPMENT, LLC</p>
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CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of January, 2013, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Marshall Division, using the electronic case filing system of the court. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Adam S. Hoffman
Adam S. Hoffman